

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-9, 31, and 34 remain active in this case, Claims 10-30, 32, 33, 35, and 36 having been previously canceled.

In the outstanding Office Action, Claims 1, 2, 5-9, 31, and 34 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,728,244, and Claims 3 and 4 were objected to for depending from a rejected base claim, but were indicated as allowable if rewritten in independent form. There were no other grounds of rejection.

In response to the double patenting rejection, submitted herewith is an appropriately executed terminal disclaimer.

Accordingly, in view of the terminal disclaimer submitted herewith, no further issues are believed to be outstanding, and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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